

Office of the Coconino County Attorney



VICTIM RIGHTS REFERENCE GUIDE (LEGAL ENTITY)



COCONINO COUNTY ARIZONA

OFFICE OF THE COUNTY ATTORNEY

110 E. CHERRY AVE. FLAGSTAFF, AZ 86001-4627 (928) 679-8200

To the Reader:

You have received this enclosure because you have been identified as a victim of a crime. This enclosure describes your rights as a Legal Entity victim. An unfortunate fact related to the growth of our community is the large number of cases filed every year in this system. As a result, police and prosecutors are not able to have the timely one-on-one contact necessary to explain to each victim his or her rights under the law. Consequently, many victims feel further violated by laws and rules which have not been explained to them.

This enclosure is designed to explain your rights in the criminal justice system. It is not meant to replace human and personal contact. If you have any questions after reviewing your rights, I encourage you to contact either the Deputy County Attorney prosecuting this case or the Victim Notification Secretary at (928) 679-8200.

Hopefully, this information will help you to better understand your rights. Working together, I am confident that those who have committed criminal acts against you can be prosecuted without causing you any additional hardship.

Sincerely,

DAVID W. ROZEMA
Coconino County Attorney

A.R.S. §§ 8-385 and 13-4404. Limited rights of a legal entity.

A corporation, partnership, association or other legal entity which, except for its status as an artificial entity, would be included in the definition of victim in §§ 8-385 and 13-4401, shall be afforded the following rights:

1. The prosecutor shall, within a reasonable time after arrest, notify the legal entity of the right to appear and be heard at any proceeding relating to restitution or sentencing/disposition of the person convicted of committing the criminal or delinquent offense against the legal entity.
2. The prosecutor shall notify the legal entity of the right to submit to the court, a written statement containing information and opinions on restitution and sentencing/disposition in its case.
3. On request, the prosecutor shall notify the legal entity in a timely manner of the date, time and place of any proceeding relating to restitution or sentencing/disposition of the person convicted of committing the criminal or delinquent offense against the legal entity.
4. A lawful representative of the legal entity shall have the right, if present, to be heard at any proceeding relating to the sentencing/disposition or restitution of the person convicted of committing the criminal or delinquent offense against the legal entity.

RESTITUTION

Restitution is an order of the court for the offender to reimburse you for your out-of-pocket expenses directly related to the crime. Restitution is ordered at the time of sentencing and includes expenses for lost or damaged property. If a jail or prison term is ordered, the adult offender will begin paying restitution once s/he is released. An adult offender sentenced to probation may be ordered to pay restitution while serving his/her sentence. Upon sentencing, the judge often will order a monthly sum to be paid until the total amount is paid.

If you want to insure that restitution is ordered, **it is important to keep receipts of your expenses**. Also, when you are contacted by the presentence investigator from the Adult Probation Department, inform him/her of your losses and let the presentence investigator know you have copies of your receipts. The investigator will then include a recommendation for restitution in his/her report to the judge.

If you have any questions regarding restitution, please contact the Victim Notification Secretary at (928) 779-6518.

CIVIL LAWSUITS

If you are a victim of a crime, you may file a civil lawsuit against the offender or any other entity you believe to be at fault for your victimization. You may file a civil lawsuit yourself or you may seek the assistance of an attorney. If a defendant enters a guilty plea or is convicted at trial, this may be admissible in a civil action. **The Coconino County Attorney's office cannot assist you with a civil lawsuit.**